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10/538,513

04/07/2006

Ken Mashitani

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EXAMINER

CHAWAN, SHEELA C

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

11/04/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/538,513 | <b>Applicant(s)</b><br>MASHITANI ET AL. |  |
|                              | <b>Examiner</b><br>SHEELA C. CHAWAN  | <b>Art Unit</b><br>2624                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/9/05</u> .  | 6) <input type="checkbox"/> Other: _____                          |

***DETAILED ACTION***

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 6/9/05, the information disclosure statement is being considered by the examiner.

***Drawings***

3. The Examiner has approved drawings filed on 6/9/05.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 9, are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi Seiji (06-062438, Listed in IDS 6/9/05).

As to claim 1, Yamaguchi Seiji discloses a stereoscopic image generating device (note, stereoscopic image generation system is made of an image pickup device, camera with parallax pickup, abstract), comprising:

a means for detecting information indicating stereoscopic effect intensity added

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to a stereoscopic image to be displayed (note, see 0048 paragraph, monitor to display an image, 0015, paragraph an out put signal is amplified (intensity increased) and is output to the video processor and to the CCD fig 7a and 7b, (drawing 2), also see 0018 amplification change over switch B (drawing 2);

a means for displaying a stereoscopic image by rendering a size smaller than an original-size based on said information indicating the stereoscopic effect intensity of the stereoscopic image and requiring an input indicating whether or not to allow an original-size stereoscopic image (note, paragraph 0018, drawing 3, element 13- switching image (may be reduced size) and an actual size image, based on the image distance from the image pickup section, drawing 2, element 9); and

a means for executing a display of the original-size stereoscopic image when receiving information indicating an allowance from a user side (note, see paragraph 0018, user can choose actual size or other image).

Regarding claim 2, it is interpreted and thus rejected for the same reasons as applied above in the rejection of claim 1, (note, also see paragraph 0018 and 0032, amplification change over switch (13) is used to change intensity through, drawing 2, element 8a and 8b in the video processor 3) .

As to claim 3, Yamaguchi Seiji discloses a stereoscopic image generating device, comprising: claim 3, it is interpreted and thus rejected for the same reasons as applied above in the rejection of claim 1.

a means for determining a stereoscopic effect intensity of a stereoscopic image to be displayed;

a means for displaying a stereoscopic image by rendering a size smaller than an original-size based on said determined stereoscopic effect intensity and requiring an input indicating whether or not to allow an original-size stereoscopic image (note, see paragraph 0024 and 0025, describe the image manipulation relative to size, intensity, through a selective processing instruction to the image processing module); and

a means for executing a display of the original-size stereoscopic image when receiving information indicating an allowance from a user side (note, paragraph 0039, an original size (full scale) image can be specified if the user desires).

Regarding claim 4, it is interpreted and thus rejected for the same reasons as applied above in the rejection of claim 1, (see paragraph 0020 selecting the stereoscopic image for display for input application change over selection , 0021 paragraph towards the end of this paragraph explains the video signal processing based on user instruction for displaying , also see paragraph 0025).

Regarding claim 5, it is interpreted and thus rejected for the same reasons as applied above in the rejection of claim 1, ( note, see 0036 to 0039 the feasibility of selecting the optics to change the image size based on need , user may selected to display in their full size or reduced size image).

As to claim 6, Yamaguchi Seiji discloses a stereoscopic image generating device, comprising:

a means for displaying a stereoscopic image to be displayed by rendering a stereoscopic effect weaker than its original stereoscopic effect and requiring an input indicating whether or not to allow the stereoscopic image having the original stereoscopic effect (note, paragraph 0038, size and intensity can be controlled fig 7, section 28, receives instruction to process the image to expand or reduce the image size, image intensity is controlled by fig 2 element 11); and

a means for executing a display of the stereoscopic image having the original stereoscopic effect when receiving information indicating an allowance from a user side( note, see paragraph 0025 element 22, 28 and 29, discuss the interrelations in video processing).

As to claim 7, Yamaguchi Seiji discloses a stereoscopic image generating device according to any one of claims 1 to 6, wherein a warning is displayed on a screen in a state of a size-reduced display or in a state of a stereoscopic effect-weakened display (note, this is explained through the video image processor to indicate the reduction in size, also see paragraph 0024 displaying the status displaying of the image).

As to claim 8, Yamaguchi Seiji discloses a stereoscopic image delivery method, characterized in transmitting a stereoscopic image by rendering a size smaller than its original size, requiring an input indicating whether or not to allow an original-size stereoscopic image, and transmitting the original size stereoscopic image when receiving information indicating an allowance from a user side (note, see paragraph 0032 increasing or reducing the size of the object image the user has the optics to control the out put signal ).

As to claim 9, Yamaguchi Seiji discloses a stereoscopic image delivery method, characterized in transmitting a stereoscopic image by rendering a stereoscopic effect weaker than its original stereoscopic effect, requiring an input indicating whether or not to allow a stereoscopic image having an original stereoscopic effect, and transmitting the stereoscopic image having the original stereoscopic effect when receiving information indicating an allowance from a user side (note, see paragraph 0024 image output can be chosen to expand or reducing the display , also see paragraph 0048).

***Other prior art cited***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gaudreau (US.5,629,798) discloses stereoscopic displaying method and device.

Sato (US. 6, 062, 693) discloses three-dimensional image projection device.

Inoue et al., (US.6,853,357 B2) discloses image display apparatus and method, and storage medium.

Hanna et al., (US. 6,490,364 B2) discloses apparatus for enhancing images using flow estimation.

Takemoto et al., (US.2003/0043262A1) discloses method and apparatus for handling stereoscopic images utilizing parallax images.

***Contact Information***

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on 571-272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sheela C Chawan/

10/25/08.

Primary Examiner, Art Unit 2624